

**REMARKS**

In the non-final Office Action mailed on December 2, 2005 (paper no. 20051103), the Examiner: rejected claims 25 and 26 under 35 U.S.C. § 101; rejected claims 1, 2, 5, 9-18, 20, 22, 23, 25, and 26 under 35 U.S.C. § 102(e) over Fujioka (U.S. Patent No. 6,845,447); rejected claims 3, 4, 19, and 21 under 35 U.S.C. § 103(a) over Fujioka and Challenger (U.S. Patent No. 6,081,793); rejected claims 6 and 7 under 35 U.S.C. § 103(a) over Fujioka and Kilian (U.S. Patent No. 5,682,430); rejected claim 8 under 35 U.S.C. § 103(a) over Fujioka and Ono (U.S. Patent No. 6,523,115); and rejected claim 19 under 35 U.S.C. § 103(a) over Fujioka and Pykälistö (U.S. Patent No. 5,970,385). In this response, applicant amends claims 1, 2, and 8-11 and presents new claims 37-42 to more accurately identify the subject matter for which he seeks protection. As a result, claims 1-26 and 37-42 are now pending. For the reasons discussed in detail below, applicant submits that the application is in condition for allowance.

Claims 1-11 are directed to a voting client that, before the conclusion of an election, receives separate confirmation messages from two different parties that together indicate the identity of a ballot choice selected in a ballot received from the voting client by a vote collection authority. These claims are all rejected over Fujioka, either alone or in combination with Challenger, Kilian, or Ono. In particular, the Examiner relies on Fujioka as disclosing the transmission of the two recited confirmation messages. It is clear from Fujioka, however, that the ballot list described by Fujioka at 8:14-36 identified by the Examiner as the second recited confirmation message is generated after the conclusion of the election. In contrast, these claims, as amended, recite transmitting both confirmation messages "before the election ending time." Accordingly, applicant submits that the rejection of claims 1-11 is improper, and should be withdrawn.

Claims 12-22 and 37-42 are directed to the distribution of per-voter voter dictionaries. When a voter receives an encoded indication of a ballot choice selected in a ballot received by the election authority for the voter, such as a confirmation value, the

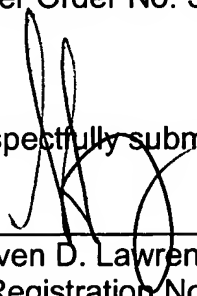
voter uses the confirmation dictionary to decode the encoded indication to determine the identity of the vote choice that is to be attributed to the user. Each of these claims recite transmitting a voter dictionary, or a component thereof, to a recipient such as a voting client computer system via a channel that is separate from one used to transmit an encoded voting choice indication that can be decoded with the voter dictionary. Against these claims, the Examiner cited column 7, lines 38-67 of Fujioka. This portion of Fujioka fails to disclose transmitting a voter dictionary or a portion thereof, either via a separate communication channel from an encoded ballot choice indication or otherwise. Accordingly, claims 12-22 and 37-42 are patentable over Fujioka. Applicant therefore respectfully requests that the Examiner reconsider and withdraw this rejection.

For the reasons discussed above, applicant submits that the application is now in condition for allowance, and honestly solicits a prompt Notice of Allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 324628006US3 from which the undersigned is authorized to draw.

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